



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,377	10/09/2003	Masahiro Machida	046601-5112	6406
9629 7590 08/20/2007 MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			EXAMINER ULRICH, NICHOLAS S	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 08/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/681,377

Applicant(s)

MACHIDA ET AL.

Examiner

Nicholas S. Ulrich

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/09/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-12 are pending.
2. The information disclosure statement (IDS) submitted on 10/09/2003 is being considered by the examiner.

Claim Objections

3. Claim 6 is objected to because of the following informalities: Line 5, "lager" should read "larger". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claim 1, 2, 4, 5, 9, 10, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsutsui (US 6674472 B1).

In regard to claim 1, Tsutsui discloses an image displaying device capable of displaying an small image smaller than an original image comprising (*Column 1 lines 19-20*):

a configuring unit for configuring a number of the small image to be displayed on a display screen for displaying the image (*Column 6 lines 11-17*);

a deciding unit for deciding a size of the small image to be displayed on the display screen, based on the number of the small image configured by the configuring unit and a size of the display screen (*Column 6 lines 47-51*);

and a controlling and displaying unit for controlling and displaying the small image on the display screen, based on the number of the small image configured by the configuring unit and the size of the small image decided by the deciding unit (*Column 4 lines 2-12*).

In regard to claim 2, Tsutsui discloses wherein the image displaying device has two or more modes having numbers of the small image configured by the configuring unit, the modes being different from each other, and the image displaying device further comprises a selecting unit for selecting the modes (*Column 4 lines 2-12 and Column 9 lines 5-9: discussed is two modes, four thumbnails per page and 9 thumbnails per page. These modes are selected by using the "displaying number setting" key*).

In regard to claim 4, Tsutsui discloses wherein the configuring unit configures the number of the small image arranged at least one of an axial direction and a lateral direction on the display screen (*Column 4 lines 4-6: thumbnails arranged in a matrix*).

In regard to claim 5, device claim 5 corresponds generally to device claims 1, and recites similar features and therefore is rejected under the same rationale.

In regard to claims 9, 10, and 12, method claims 9, 10, and 12 correspond generally to system claims 1, 2, and 4, respectively, and recite similar features in method form, and therefore are rejected under the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3, 6, 8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsutsui (US 6674472 B1) in view of Rudd et al. (US 6934915 B2).

In regard to claims 3 and 11, While Tsutsui teaches different modes with different sizes of thumbnail images, they fail to show the handicapped and normal mode as recited in the claims. Rudd teaches a graphical user interface similar to that of Tsutsui. In addition, Rudd further teaches a visually impaired mode that includes large fonts and oversized buttons (Claim 14). It would have been obvious to one of ordinary skill in the art, having the teachings of Tsutsui and Rudd before him at the time the invention was

Art Unit: 2173

made, to modify the modes taught by Tsutsui to include the impaired mode of Rudd, in order to obtain a handicapped mode that displays larger thumbnail images. The functionality of Tsutsui invention contains modes that would be beneficial for a handicapped person with limited visibility to use. Tsutsui does not explicitly disclose the larger thumbnail modes being related to handicapped persons but it is obvious that the larger modes could easily be designated as a handicapped mode. As disclosed in the specification of the present invention, the handicapped mode includes larger thumbnail images. Tsutsui invention includes this limitation but fails to label the mode as a handicapped mode. Since it is established by Rudd that larger icons are associated with a handicapped mode, it would be obvious that Tsutsui larger thumbnail mode could be labeled as a handicapped mode. The larger thumbnail mode (4 thumbnails per page) provides the same functionality as the handicapped mode of the present invention. Any one of the smaller modes could be considered a normal mode (9 thumbnails per page).

In regard to claim 6, Tsutsui discloses an image displaying apparatus for displaying a plurality of thumbnail images on a screen comprising:

a selector for selecting a mode (*Column 9 lines 5-9*);

a controller for making the larger size of the thumbnail image on the screen , of which size being larger than the size of the thumbnail image at the one mode, when the selector selects the another mode (*Fig 9a and 9b and Column 6 lines 47-52*);

and a display for displaying the larger size of the thumbnail images made by the controller (*Column 6 lines 40-41*).

While Tsutsui teaches different modes with different sizes of thumbnail images, they fail to show the handicapped and normal mode as recited in the claims. Rudd teaches a graphical user interface similar to that of Tsutsui. In addition, Rudd further teaches a visually impaired mode that includes large fonts and oversized buttons (Claim 14). It would have been obvious to one of ordinary skill in the art, having the teachings of Tsutsui and Rudd before him at the time the invention was made, to modify the modes taught by Tsutsui to include the impaired mode of Rudd, in order to obtain a handicapped mode that displays larger thumbnail images. The functionality of Tsutsui invention contains modes that would be beneficial for a handicapped person with limited visibility to use. Tsutsui does not explicitly disclose the larger thumbnail modes being related to handicapped persons but it is obvious that the larger modes could easily be designated as a handicapped mode. As disclosed in the specification of the present invention, the handicapped mode includes larger thumbnail images. Tsutsui invention includes this limitation but fails to label the mode as a handicapped mode. Since it is established by Rudd that larger icons are associated with a handicapped mode, it would be obvious that Tsutsui larger thumbnail mode could be labeled as a handicapped mode. The larger thumbnail mode (4 thumbnails per page) provides the same functionality as the handicapped mode of the present invention. Any one of the smaller modes could be considered a normal mode (9 thumbnails per page).

In regard to claim 8, Tsutsui discloses further comprising:

a configuring unit for configuring a number of the thumbnail images to be displayed on the screen (*Column 6 lines 11-17*);

and a deciding unit for deciding a size of the thumbnail image to be displayed on the screen, based on the number of the thumbnail images configured by the configuring unit; wherein the controller makes the larger size of the thumbnail image based on the deciding unit (*Column 6 lines 47-51*);

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsutsui (US 6674472 B1) in view of Rudd et al. (US 6934915 B2) and Tsuji et al. (US 6437774 B1).

In regard to claim 7, While Tsutsui teaches a selector; they fail to show the detector for voice guide mode as recited in the claims. Tsuji teaches a input control means similar to that of Tsutsui. In addition, Tsutsui further teaches a voice guide along with a selector (*Column 11 lines 11-15*). It would have been obvious to one of ordinary skill in the art, having the teachings of Tsutsui, Rudd, and Tsuji before him at the time the invention was made, to modify the selector taught by Tsutsui to include the voice guide of Tsuji, in order to obtain a selector with voice guide mode. One would have been motivated to make such a combination because a visually challenged user would benefit from the addition of voice guides throughout selection of items on the graphical user interface of the invention. Also, it well known in the art that any kind of audible

Art Unit: 2173

output is beneficial to any user of a user interface because it alerts the user to an input to the user interface.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas S. Ulrich whose telephone number is 571-270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas Ulrich

8/10/2007

2173


TADESSE HAILU

PRIMARY EXAMINER